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U.S. DISTRICT COURT
N.D. OF ALABAMA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MISTY McDUFFIE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**CASE NO.:**
	)	
ALABAMA CASH SERVICES, INC., and LINK FINANCIAL, LLC,	)	
	)	
	)	
Defendants.	)	

COMPLAINT

PLAINTIFF HEREBY DEMANDS TRIAL BY STRUCK JURY

I. INTRODUCTION

1. This is an action for declaratory judgment, equitable relief, and money damages instituted to secure the protection and redress the deprivation of rights secured through Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000(e) et seq. (hereinafter "Title VII").

2. Plaintiff Misty McDuffie (hereinafter "Plaintiff") demands a trial by struck jury pursuant to 42 U.S.C. § 1981(a).

II. JURISDICTION and VENUE

3. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331 and 1343.

4. Venue is proper pursuant to 28 U.S.C. § 1391.

5. Plaintiff filed her Charge of Discrimination with the Equal Employment Opportunity Commission within 180 days of the Defendants' discriminatory act(s) and filed this action within 90 days of receipt of her Notice of Right to Sue.

III. PARTIES

6. Plaintiff is female, over the age of nineteen, a citizen of the United States, and a resident of the State of Alabama.

7. Defendant Alabama Cash Services, Inc., is an employer as defined by Title VII.

8. Link Financial, LLC, is an employer as defined by Title VII.

IV. FACTS and CAUSES OF ACTION

9. Misty McDuffie and John McDuffie were married in 2004 and divorced in 2009.

10. In February 2015, John McDuffie hired Misty McDuffie to work at Alabama Cash Services, Inc.

11. In November 2015, Misty McDuffie and John McDuffie began doing business as Link Financial, LLC, a joint enterprise of Alabama Cash Services, Inc.

12. John McDuffie and Misty McDuffie agreed Misty would serve as Vice President of Operations and General Manager of Link Financial, LLC, at a salary of $60,000.00 per year plus commission and bonuses.

13. From February 2015 to September 2016, Misty McDuffie reported directly to John McDuffie.

13. Throughout the course of her employment with Alabama Cash Services and Link Financial, LLC, John McDuffie and Misty McDuffie went out often for lunch, dinner, or drinks.

14. In June 2016, John McDuffie became romantically involved with another woman and by August 2016 the couple were engaged to marry.

15. After John McDuffie got married, Misty McDuffie stopped going out for lunch, dinner, or drinks with John McDuffie.

16. Once Misty McDuffie stopped going out with John McDuffie for lunch, dinner, or drinks, John McDuffie became hostile toward Misty McDuffie and started complaining about the profitability of Link Financial, LLC.

17. In September 2016, John McDuffie informed Misty McDuffie that she would begin reporting to Rob Drum, the General Manager of Alabama Cash Services, Inc.

18. By October 2016, it became apparent that John McDuffie's wife did not want Misty McDuffie to continue to work for Alabama Cash Services, Inc,, and Link Financial, LLC.

19. On October 10, 2016, Alabama Cash Services, Inc., and Link Financial, LLC, terminated Misty McDuffie's employment.

COUNT I - GENDER DISCRIMINATION

20. Plaintiff incorporates paragraphs 1-19 as if set out in there entirety herein.

21. During the course of Plaintiff's employment with the Defendants, Plaintiff was required to go out for lunch, dinner, and drinks with the owner, John McDuffie.

22. Once Misty McDuffie stopped going out with Jay McDuffie for lunch, dinner, or drinks, Jay McDuffie became hostile toward Misty McDuffie, started complaining about the profitability of Link Financial, LLC, and terminated Plaintiff's employment.

23. Alabama Cash Services, Inc., and Link Financial, LLC, discriminated against Misty McDuffie by terminating her on the basis of her gender, female, when she stopped going out for

lunch, dinner, or drinks with the owner of the companies, in violation of Title VII of the Civil Rights act of 1964.

24. Plaintiff has suffered loss of income, emotional distress, and mental anguish as a direct result of the Defendants' discriminatory policies, practices, and procedures.

COUNT II - GENDER DISCRIMINATION

25. Plaintiff incorporates paragraphs 1-19 as if set out in there entirety herein.

26. In June 2016, John McDuffie became romantically involved with another woman and by August 2016 the couple were engaged to marry.

27. By October 2016, it became apparent that John McDuffie's wife did not want Misty McDuffie to continue to work for Alabama Cash Services, Inc,, and Link Financial, LLC, because of their prior sexual relationship.

28. On October 10, 2016, Alabama Cash Services, Inc., and Link Financial, LLC, terminated Misty McDuffie's employment.

29. Alabama Cash Services, Inc., and Link Financial, LLC, discriminated against Misty McDuffie by terminating her on the basis of her gender, female, when she stopped going out for lunch, dinner, or drinks with the owner of the companies, in violation of Title VII of the Civil Rights act of 1964.

30. Plaintiff has suffered loss of income, emotional distress, and mental anguish as a direct result of the Defendants' discriminatory policies, practices, and procedures.

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that this Court will take jurisdiction over this action and after a trial on the merits:

A. Issue a declaratory judgment that the employment policies, practices, procedures, conditions, and customs of the Defendant have violated the rights of the Plaintiff as secured by Title VII;

B. Grant Plaintiff a permanent injunction enjoining the Defendant, its agents, successors, employees, attorneys, and those acting in concert with Defendant and at the Defendant's request from continuing to violate Title VII;

C. Enter an Order requiring the Defendant to make the Plaintiff whole by reinstating Plaintiff into the position she would have occupied in the absence of discrimination and awarding him lost wages, compensatory damages, and punitive damages; and

D. Plaintiff further prays for such other relief and benefits as the cause of justice may require including, but not limited to an award of costs, attorneys' fees, and expenses.

Respectfully submitted,

/s/Scott A. Gilliland
Scott A. Gilliland, Counsel for Plaintiff
ASB-6604-L67S

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Link Financial, LLC
7029 Founders Drive
Birmingham, AL 35242

Plaintiff will issue a Notice of Lawsuit and Request for Waiver of Service of Summons to the Defendants.